DOCUMENT RESUME

ED 268 465 CG 019 024

TITLE	Consumer's Choices to Funeral Planning. A Consumer Publication by the Chairman of the Select Committee on Aging. House of Representatives, Ninety-Ninth Congress, Second Session.
INSTITUTION	Congress of the U.S., Washington, D.C. House Select Committee on Aging.
REPORT NO	House-Comm-Pub-99-541
PUB DATE	Feb 86
NOTE	43p.
PUB TYPE	Legal/Legislative/Regulatory Materials (090)
EDRS PRICE	MF01/PC02 Plus Postage.
DESCRIPTORS	*Consumer Education; *Consumer Protection; *Costs; *Death; *Guidelines
IDENTIFIERS	Congress 99th; *Funerals

ABSTRACT

This Congressional consumer publication, done in conjunction with the Continental Association of Funeral and Memorial Societies, was written to help consumers have the type of funeral they want at a cost they can afford. Guidelines are provided which will educate the funeral consumer before and during funeral planning. Also included in this guide are the major provisions of the Federal Trade Commission (FTC) Funeral Industry Practices Trade Regulation Rule which was enacted to enable consumers to obtain itemized information when making funeral arrangements. Chapters deal with: (1) the importance of preplanning; (2) the FTC Funeral Rule; (3) consumer choices for funerals, direct disposition, memorial services, cremation, do-it-yourself plans; body/organ donations; and relative costs of alternatives; (4) memorial societies; (5) prepayment and possible alternatives to prepayment; (6) cemeteries; (7) death benefits, including Social Security benefits, Veterans Administration benefits, and other death benefits; (8) cautions; and (9) a form to complete for recording one's wishes concerning one's own funeral. The section on cautions contains a list of 12 consumer, licensing, and professional groups that consumers may contact for assistance or information on funeral matters. A bibliography is included. (NB)

****
* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *
****

ED268465

CG 019024

[COMMITTEE PRINT]

CONSUMER'S CHOICES TO FUNERAL PLANNING

A CONSUMER PUBLICATION

BY

THE CHAIRMAN

OF THE

SELECT COMMITTEE ON AGING
HOUSE OF REPRESENTATIVES

NINETY-NINTH CONGRESS

SECOND SESSION

U.S. DEPARTMENT OF EDUCATION
NATIONAL INSTITUTE OF EDUCATION
EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)
☑ This document has been reproduced as received from the person or organization originating it.
☐ Minor changes have been made to improve reproduction quality.
• Points of view or opinions stated in this document do not necessarily represent official NIE position or policy.

FEBRUARY 1986

Comm. Pub. No. 99-541

Printed for the use of the Select Committee on Aging

This document has been printed for informational purposes only. It does not represent either findings or recommendations adopted by this Committee.

U.S. GOVERNMENT PRINTING OFFICE

57-908 O WASHINGTON : 1986

BEST COPY AVAILABLE

SELECT COMMITTEE ON AGING

EDWARD R. ROYBAL, California, *Chairman*

CLAUDE PEPPER, Florida
MARIO BIAGGI, New York
DON BONKER, Washington
THOMAS J. DOWNEY, New York
JAMES J. FLORIO, New Jersey
HAROLD E. FORD, Tennessee
WILLIAM J. HUGHES, New Jersey
MARILYN LLOYD, Tennessee
STAN LUNDINE, New York
MARY ROSE OAKAR, Ohio
THOMAS A. LUKEN, Ohio
BEVERLY B. BYRON, Maryland
DAN MICA, Florida
HENRY A. WAXMAN, California
MIKE SYNAR, Oklahoma
BUTLER DERRICK, South Carolina
BRUCE F. VENTO, Minnesota
BARNEY FRANK, Massachusetts
TOM LANTOS, California
RON WYDEN, Oregon
GEO. W. CROCKETT, Jr., Michigan
WILLIAM HILL BONER, Tennessee
IKE SKELTON, Missouri
DENNIS M. HERTEL, Michigan
ROBERT A. BORSKI, Pennsylvania
FREDERICK C. (RICK) BOUCHER, Virginia
BEN ERDREICH, Alabama
BUDDY MacKAY, Florida
HARRY M. REID, Nevada
NORMAN SISISKY, Virginia
ROBERT E. WISE, Jr., West Virginia
BILL RICHARDSON, New Mexico
HAROLD L. VOLKMER, Missouri
BART GORDON, Tennessee
THOMAS J. MANTON, New York
TOMMY F. ROBINSON, Arkansas
RICHARD H. STALLINGS, Idaho

MATTHEW J. RINALDO, New Jersey
Ranking Minority Member
JOHN PAUL HAMMERSCHMIDT, Arkansas
RALPH REGULA, Ohio
NORMAN D. SHUMWAY, California
OLYMPIA J. SNOWE, Maine
JAMES M. JEFFORDS, Vermont
THOMAS J. TAUKE, Iowa
GEORGE C. WORTLEY, New York
JIM COURTER, New Jersey
CLAUDINE SCHNEIDER, Rhode Island
THOMAS J. RIDGE, Pennsylvania
JOHN McCAIN, Arizona
GEORGE W. GEKAS, Pennsylvania
MARK D. SILJANDER, Michigan
CHRISTOPHER H. SMITH, New Jersey
SHERWOOD L. BOEHLERT, New York
JIM SAXTON, New Jersey
HELEN DELICH BENTLEY, Maryland
JIM LIGHTFOOT, Iowa
HARRIS W. FAWELL, Illinois
JAN MEYERS, Kansas
BEN BLAZ, Guam
PATRICK L. SWINDALL, Georgia
PAUL B. HENRY, Michigan
JIM KOLBE, Arizona
BILL SCHUETTE, Michigan

FERNANDO TORRES-GIL, *Staff Director*
PAUL SCHLEGEL, *Minority Staff Director*

BEST COPY AVAILABLE

FOREWORD

Each year Americans arrange more than two million funerals for family and friends. When arranging a funeral, consumers may not initially be concerned about cost. However, consumers may spend more for a funeral than for almost any other purchase they make in their lifetime. At an average cost of $2,400, a funeral may be the third most expensive purchase a consumer makes after a home and a car.

While I was Chairman of the Subcommittee on Housing and Consumer Interests, I held a hearing in July 1982 entitled "Funeral Practices and the Elderly" (available through the Select Committee on Aging - publication number 97-359). The purpose of this hearing was to examine funeral industry practices and how they may affect the consumer. Based on testimony presented at this hearing, I have become an advocate of regulatory action concerning this issue, and have developed this consumer guide.

This publication, done in conjunction with the Continental Association of Funeral and Memorial Societies, will help the consumer obtain the type of funeral they want, at a cost they can afford. The guidelines in this publication will educate the funeral consumer before and during funeral planning. Also, the major provisions of the recently enacted Federal Trade Commission Funeral Industry Practices Trade Regulation Rule (FTC "Funeral Rule") have been included

in this guide. The purpose of the rule was to enable consumers to obtain itemized information when making funeral arrangements. The funeral rule is one of the most beneficial pieces of regulatory activity of recent years from the consumer standpoint because it requires price disclosure and prohibits misrepresentation.

As Chairman of the Select Committee on Aging, I would like to extend my deep appreciation to Sheila Duffy of my staff and to Carol Coile and Marsha Goldberg of the Continental Association for their participation in the development of this consumer guide. I would also like to thank Susan Cohen, of the Montgomery County Office of Consumer Affairs in Maryland, Ruth Harmer, author of "The High Cost of Dying", Tom Nelson and Jim Thompson, of the American Association of Retired Persons, Patricia Lawrence, Minority Staff Director of the Housing and Consumer Interests Subcommittee, and Marguerite Lambrinos for their extremely helpful editorial contributions.

Edward R. Roybal
Chairman

TABLE OF CONTENTS

		Page
	FOREWORD	III
I.	THE IMPORTANCE OF PREPLANNING	1
II.	THE FEDERAL TRADE COMMISSION FUNERAL RULE	3
III.	WHAT ARE THE CONSUMER'S CHOICES?	7
	• Traditional Funeral	7
	• Direct Disposition	8
	• Memorial Service	8
	• Cremation	9
	• Do-It-Yourself	10
	• Body/Organ Donation	10
	• Relative Costs of Alternatives	12
IV.	MEMORIAL SOCIETIES	13
V.	PREPAYMENT	14
	• Possible Alternatives	16
VI.	A SEPARATE WORD ABOUT CEMETERIES	18
VII.	DEATH BENEFITS	21
	• Social Security Death Benefits	21
	• Veterans Administration Death Benefits	21
	• Other Death Benefits	22

VIII. A WORD OF CAUTION 24

IX. RECORDING YOUR WISHES 29

X. BIBLIOGRAPHY 34

THE IMPORTANCE OF PREPLANNING

The information in this guide is intended to assist consumers in making informed choices while planning a funeral. This guide is also intended to help the public become aware of federal consumer protections as provided by the new Federal Trade Commission's funeral rule.

It is important that family members discuss future funeral arrangements. Preplanning can provide opportunities for everyone to discuss personal preferences, feelings and desires. In the event of death, the family will be comforted by knowing that they are carrying out their loved ones wishes. This is especially significant if someone desires a simple, inexpensive funeral or no funeral at all. In the grief laden period following the death of a loved one, many emotions are experienced and consumers can easily over extend themselves financially on funeral arrangements. If they know the deceased definitely wanted a simple funeral then the family will not feel guilty about spending less. Thus, a choice for simplicity will not be mistaken for lack of respect.

Taking time to collect information on varying costs and calmly choosing funeral arrangements ahead of time, can protect the family from any possible sales pressure, intended or not, at a time of extreme emotional crisis. By considering all the options available now, the family eliminates the possibility of making hasty, often

expensive, decisions later.

Preplanning can place the funeral provider and the funeral consumer on a more equal footing. The inexperienced consumer who makes arrangements at the time of need can be extremely vulnerable. Prior knowledge helps the consumer decline certain services and purchase only what is wanted. The consumer can decide the type and cost of the funeral or other disposition, rather than someone else.

If death occurs unexpectedly, it is a good idea to have a non-family member or clergy accompany the family when making funeral arrangements to provide emotional support and to help the family make decisions more clearly.

THE FEDERAL TRADE COMMISSION FUNERAL RULE

Consumers now have a considerable amount of protection under the provisions of the recently enacted Federal Trade Commission Funeral Industry Practices Trade Regulation Rule.

Interest in regulating this industry began in December 1972 when the Bureau of Consumer Protection of the Federal Trade Commission began a preliminary investigation of practices in the funeral industry. Since that time Commission and Congressional hearings were held. After the rule's promulgation was legislatively blocked during consideration of the FTC Improvement Act of 1980, a revised version was re-submitted to Congress in January 1983 and went into effect officially on April 30, 1984. A complete text of the funeral rule can be obtained from the Federal Trade Commission (Bureau of Consumer Protection, Division of Enforcement, Washington, D.C. 20580), or the Federal Register (Vol. 49, No. 51, pg. 9688, March 14, 1984).

Due to the funeral rule, the consumer can now purchase individual items or buy an entire package of goods and services. Funeral providers must also disclose the costs of all goods and services. If inquiring in person, the funeral home must provide a written price list. If the consumer calls a funeral provider to ask about terms, conditions, or prices of funeral goods or services, the funeral provider

must also provide prices and any other relevant information over the telephone to reasonably answer the inquiry.

Once arrangements are determined, the funeral rule requires the funeral director to provide the consumer with an itemized statement of funeral goods and services selected. This statement must combine, in one place, the prices of the individual items, as well as the total cost of the funeral goods and services that the consumer is considering for purchase. This statement must also disclose any legal, cemetery, or crematory requirements that compel the consumer to purchase any funeral goods or services. In this way, consumers may comparison shop and choose only specific goods and services they want or need and pay for only those they select.

The following is a summary of what the funeral provider must let the consumer know in accordance with the funeral rule. **The funeral director must notify the consumer, <u>in writing,</u> that:**

- **embalming is not required by law, and that the consumer has the right to choose direct cremation or immediate burial.** - However, certain funeral arrangements which include viewing, may make embalming a practical necessity, and thus a required purchase. If the funeral arrangements being selected make embalming a required purchase, then the consumer must be notified ahead of time. Also,

the funeral provider may not charge a fee for unauthorized embalming unless it is required by state law. For example, in most States, the funeral provider must embalm a body within a certain amount of time if refrigeration is not available. If an authorization for embalming can not be obtained before such time as dictated by State law, then the funeral provider may charge a fee for performing this service.

- **it is the consumers right to buy an unfinished wood box or alternative container for a direct cremation.** - The provider cannot claim that State or local law requires a casket for direct cremations, and must make an unfinished wood box or alternative container available for direct cremation.

- **there is a charge or fee for buying cash advance items.** - Cash advance items are goods or services that are paid for by the funeral provider on behalf of the consumer. Some examples of cash advance items are flowers, obituary notices, pallbearers, and clergy honoraria. Some providers may charge the consumer their cost for these items. However, the funeral provider must disclose if a service fee is added to the price of cash advance items, or if the provider gets a refund, discount, or rebate from the supplier of any cash advance item. If the cost of cash advance items is not known at the time

of purchase, the funeral provider must write down a "good faith estimate" of their cost. The funeral rule does not require any specific form for this information. Therefore, funeral providers may include this information in any document they give the consumer at the end of the discussion about funeral arrangements.

- **consumers have the right to choose only the funeral goods and services they want.** - Consumers have the right to question what is included in any line item on the statement of goods and services. For example, the term or catagory "professional services" is often used as a line item cost. However, "professional services" tends to be a general term and may include several services, almost any of which the consumer has the right to refuse. Exceptions to this requirement must be disclosed on the statement of goods and services selected and must cite the specific law that requires the purchase of any particular item.

In accordance with the funeral rule, funeral providers may not claim that embalming or a particular type of casket, vault, or grave liner has indefinite preservative effects on the body. Providers are also restricted from making false claims that State or local laws require vaults or liners in a cemetery.

WHAT ARE THE CONSUMERS CHOICES?

Traditional Funeral

Funerals can be simple or lavish. Many Americans are beginning to question the value or need of a traditional funeral. Actually, the modern American funeral only dates back to the Civil War, when a Brooklyn doctor invented the idea of embalming bodies of soldiers so that they could be shipped home. Embalming is essential to the modern or traditional funeral. A traditional funeral generally includes the following costs: moving the body to the funeral home, using the funeral home facilities, embalming, providing cosmetology and restoration, dressing the body, purchasing coffin, using hearse, arranging for pallbearers, caring for flowers, and providing guest register and acknowledgement cards. It also includes professional service fees, burial or transit permit, newspaper death notices, extension of credit, and completion of filing of death certificate.

All of the above goods and services have generally been included in a package-priced traditional funeral. The following costs are usually additional depending on the type of service selected: clergy's honorarium, music, extra limousines, flowers, burial clothes, cremation service charges, urn, marker or monument, crypt, cemetery charges for opening and closing grave, burial plot, long distance telephone calls or telegrams, distance and other additional transportation items,

cemetery perpetual care charges, burial vault or grave liner, and taxes. Many of these items and services may be handled by and billed to the undertaker, becoming cash-advance items which are then reimbursed by the family. Consumers should know that they may decline or even provide many of these services themselves.

Direct Disposition

Consumers may wish to choose direct disposition because they do not wish to delay interment, and/or it is less expensive than a traditional funeral. With direct disposition, the body is usually taken from the place of death directly to the cemetery or crematory. A graveside service may be held or a memorial service may be conducted at a later time, if desired. The cost of direct disposition is related to the degree to which funeral goods and services are used. The expenses of a direct disposition service primarily involve removal of the body from the place of death, shelter of the body prior to disposition, a suitable container to transfer the body, transportation to the crematory or cemetery and filing of the necessary legal documents.

Memorial Service

Usually a memorial service is held after a direct cremation or burial. This option may be less expensive than a traditional funeral depending on the extent to which the funeral home becomes involved. The service may be

similar to a traditional funeral service or may be modified to reflect uniquely personal values and/or traditions.

Cremation

Generally less expensive than either a traditional funeral or direct disposition, cremation is a process in which the body is placed in a casket or less expensive container and taken to a crematory where it is placed in a retort, exposed to intense heat and reduced to ashes. The ashes (or cremains) may then be stored in an urn or other receptacle or disposed of by the survivors.

State and local law should be checked before disposing of the ashes. Some states and localities have regulations restricting the process of scattering cremated remains over land or water. The costs may include the cremation itself, transportation of the body and the cremated remains, an urn or other container for the ashes, burial in a niche in a columbarium (a special building designed to hold cremation urns) or in a burial plot, a memorialization plaque, and scattering of the ashes (unless done personally). There may also be an extra charge for use of the chapel on the crematory premises to hold a memorial service and for any goods or services provided by the funeral home. In addition, a suitable container such as cardboard, knock-down-wood, pressboard, fiberboard, or composition container is usually all that is required by law. Thus, such alternative suitable containers eliminate the need to purchase a casket.

Direct cremation and scattering of the ashes would probably be the least expensive alternative if cremation is the chosen method of disposition.

Do-It-Yourself

This alternative is possible in some localities, but practically impossible in others. In some States, the law stipulates that only licensed undertakers can transport bodies from one place to another. Also, most States have fairly stringent burial site restrictions. If consumers wish to choose this alternative, it is important that they plan carefully in advance, and check the pertinent laws in their locality. Crematories and cemeteries should also be questioned about their policies.

If there is a memorial society in the area, it may be knowledgeable about legal considerations. The State Board of Undertakers and Embalmers can also provide information about State rules and regulations, as can the Office of the Attorney General.

Body/Organ Donation

Body donation is considered by many to be a valuable service to medical research, as well as a less expensive method of disposition. Consumers should investigate this option carefully beforehand, and alternative arrangements should be made in case the body is not accepted at time of death.

In the case of organ donation, the donee institution may return the body to the

survivors for disposition following removal of the donated organ(s). The family also may be required to pay transportation costs to the donee medical institution.

Such a donation can be made legally binding on the survivors by properly completing a wallet-sized Uniform Donor Card. However, some medical schools and physicians will not accept bodies or organs unless the consent of the nearest of kin is also given. Many states now have donor forms on the back of drivers' licenses, which should be used in addition to the wallet card. A free Uniform Donor Card can be ordered from any of the following:

Continental Association of Funeral and
Memorial Societies, Inc.
2001 S Street, N.W., Suite 530
Washington, D.C. 20009
(202) 745-0634

Living Bank
Herman Professional Building
P.O. Box 6725
Houston, Texas 77265
(800) 528-2971

Medic Alert
P.O. Box 1009
Turlock, California 95381
(209) 632-2371

National Kidney Foundation
2 Park Avenue
New York, New York 10016
(212) 889-2210

57-908 O - 86 - 2

Relative Costs of Alternatives

The cost of funerals is constantly changing. Therefore, the figures given here are only meant to give the consumer an idea of the relative costs of various alternatives and to assist them in comparison shopping.

1.	"Traditional Funeral" with:	
	a. burial	$2,400
	b. cremation	$1,000
	c. scientific donation	$700
2.	Direct Disposition with:	
	a. burial	$600
	b. cremation	$500
	c. scientific donation	minimal
3.	Memorial Service with:	
	a. burial	$900
	b. cremation	$900
	c. scientific donation	$350
4.	Do-It-Yourself	$300

MEMORIAL SOCIETIES

There are over 200 memorial societies throughout the United States and Canada. Volunteer-run, these nonprofit organizations are advocates of preplanning and freedom of choice in funeral arrangements. Memorial societies generally do not provide merchandise or funeral services directly, rather they seek contracts or agreements with cooperating funeral providers to take care of the needs of their membership.

Membership in a memorial society is obtained by paying a one time membership fee of usually between $10 and $25. If a member dies while away from his/her society's area, the memorial society at or close to the place of death can provide assistance. Membership may be transferred at little or no cost if a member moves.

Consumers should not confuse profit-making businesses with memorial societies since many businesses use the word "memorial" or "society" in their names. Authentic nonprofit societies do not normally sell services or merchandise directly, nor charge high membership fees. Most belong to the Continental Association of Funeral and Memorial Societies or the Memorial Society Association of Canada.

PREPAYMENT

Prearrangement does not necessarily have to be accompanied by prepayment of funeral goods and services. The following is a brief outline of the potential arguments for and against prepayment.

Pro's:

- Allows for an increased feeling of security that prearrangements will be carried out because they have already been paid for.

- Provides peace of mind to those who have no reliable survivor, relative or other person to handle funeral arrangements.

- Protects survivors from making uncomfortable or irrational decisions under the stress of bereavement.

- Allows for comparison shopping among competing funeral providers.

- Reduces the risk that survivors will have heavy funeral expenses at the time of need.

The advantages listed above seem attractive, however, may not necessarily hold true for all pre-need plans. Even where they do, a pre-need plan may not be the best way to secure a given advantage.

Con's:

- If the consumer dies before completing payments on a pre-need plan and does not have credit life insurance, the agreement may not be honored unless survivors pay the amount outstanding.

- There is no guarantee that the seller of today's services will be in business at time of need.

- If consumers move, they may not be able to shift their arrangements to another location or receive a refund.

- In many States, money deposited in a pre-need plan receives little or no accrued interest because such interest may be withdrawn annually by the seller to cover administrative fees.

- In some States, money paid does not have to be placed in trust, in which case the recipient of the funds may be free to spend it and the consumer runs the risk of having nothing at the time of death.

- If payment is made in installments and not paid when due, there may be penalties assessed. If payments are stopped altogether, any refund may be substantially less than the amount paid into the plan.

- Survivors may not even be aware that funeral expenses have been pre-paid.

Possible Alternatives

As an alternative to prepayment, the consumer may wish to consider setting up a specific interest bearing bank account to pay for services at the time of need rather than paying in advance for services with the funeral provider. In this manner they will be able to benefit from the interest it will accrue, and protect themselves if the funeral home goes out of business. A "Totten" trust is an example of a special type of savings account to which the depositor adds the name of a beneficiary. The beneficiary can be a funeral home, friend or relative who is trusted to use the funds as the depositor directs.

The advantage of a "Totten" trust is that the funds stay in control of the depositor and can be withdrawn in an emergency or transferred if the consumer should move to a new area. It is revocable during the depositor's lifetime, but, in most States, becomes irrevocable at time of death. The disadvantage of such an arrangement is that, as with any other savings account, the depositor may be tempted to use the funds for other purposes.

Like a special savings account, a standard life insurance policy can be taken out to cover anticipated funeral expenses. Upon death, the policy can provide the funds needed to cover funeral expenses.

In general, prepayment of funerals should be considered only if the funds are adequately safeguarded (placed in trust), if the

seller has a sound reputation, if the consumer is certain that they will want to use the services of that particular funeral home, and if the price is guaranteed. Also, the consumer should consult an attorney before signing any agreement.

A SEPARATE WORD ABOUT CEMETERIES

Funeral arrangements are only part of the expense if the consumer selects burial in a cemetery or entombment in a mausoleum.

Still the most common form of disposition, earth burial can be an expensive part of funeral arrangements. Expenses may include the following: a burial plot; opening and closing of the grave (which can be more expensive on weekends); a vault or a less expensive grave liner (although not required by law, one of these may be required by individual cemeteries to prevent subsequent collapse of the grave); and a grave marker. Earth burial can be without ceremony. In addition, it may be preceded by a funeral or graveside service, or followed by a memorial service.

Burial in an above ground tomb or mausoleum is generally more expensive than a cemetery plot. Services may or may not be conducted as described above for an earth burial. However, if the consumer wishes an earth burial, a cemetery plot will have to be selected and paid for (note: most all cemeteries require that a plot be paid for in full before it is used).

There are almost as many things to keep in mind when buying a cemetery plot as when making funeral arrangements. Each cemetery has its own requirements, which should be ascertained in advance of purchase. The consumer should make certain that they

read the cemeteries rules and regulations. Cemetery costs usually cover three or four separate items: the plot of ground or the crypt; the coffin enclosure for ground burial (a grave liner or vault); the opening and closing the grave or entombment; and the memorial (marker, monument, or plaque). The consumer should take note that the location of the plot and the use of materials for markers or stones has a direct effect upon the cost.

Many cemeteries also charge for installing or settling the monument or marker at the grave site. Although some cemeteries charge an extra fee for perpetual care of the grave site or mausoleum crypt, others consider perpetual care to be part of the price of a lot or crypt and a certain percentage of the price is set aside in a trust fund for this purpose. Some States require such funding by law. The consumer should try to visit various cemeteries to compare prices and see how well they are maintained.

Purchasing a grave plot or mausoleum crypt on a pre-need basis should be approached with caution, and, generally speaking, should be done only if the consumer is relatively certain that this will be their final choice. A purchase in advance of need could result in additional costs at the time of death. These additional costs can occur due to the high rate of mobility in American society. A good idea for the consumer would be to check to determine if the cemetery belongs to a lot exchange program.

As is the case with pre-need funeral arrangements, another aspect to consider as well is that the family's money remains in someone else's possession. Consumers should at least make certain that the money is put in an interest bearing escrow account. They may also wish to consider setting up their own interest bearing account, as previously discussed (see Chapter 5 - Possible Alternatives).

Pre-need plans involving prepayment of burial expenses, however, may offer a reasonable price advantage. Remember, whenever cemetery lots or mausoleum crypts are bought in advance of need, just as in the case of any pre-need funeral purchase, family members should be involved in the decision and should be informed about all the particulars of the sale.

DEATH BENEFITS

As soon as possible after death occurs, survivors should take steps to determine the availability of death benefits. Almost all benefits must be applied for and are not provided automatically. Among the benefits survivors may be entitled to are highlighted below.

Social Security Death Benefits

The Social Security Administration provides assistance to eligible survivors of an eligible beneficiary by way of a "lump sum death benefit" (currently $255). This death benefit is payable only to a spouse or minor dependent children of the deceased. The surviving spouse and minor children can also be entitled to monthly benefit checks. Consumers should contact their local Social Security office for any information and assistance.

Veterans Administration Death Benefits

The Veterans Benefits Counselor at the nearest VA regional office or a local veterans service organization representative should be contacted regarding survivor benefits and to secure a burial flag and/or burial in a national cemetery. If requested to do so, the funeral provider can alert the VA insurance division so that an insurance claim form is sent to the veteran's beneficiary without inquiry on the beneficiary's part. Veteran's mortuary benefits are available only if the Veteran was

(1) receiving a pension or compensation for military service, (2) died in a Veterans Hospital, and (3) indigent at the time of death. $300 is available to an eligible surviving spouse or children. $150 is available for a plot allowance and can be claimed by the family, funeral provider, or cemetary. If the death was a direct result of injuries received while in service, the Veteran's survivors can be eligible to receive up to $1,100. (NOTE: VA will impose a 10% reduction effective March 1, 1986 on payment of allowances for burial, plots, and head stones.)

(NOTE:—The VA will impose a 10% reduction, effective March 1, 1986, on payment of allowances for burial, plots and headstones.)

Other Death Benefits

- Life or casualty insurance - If death results from a motor vehicle accident, benefits might be provided under no-fault insurance provisions.

- Employer's payments - These could include severance pay, and/or vacation time.

- Credit unions, trade unions and fraternal organizations.

- Federal Government Railroad Retirement Board insurance - Provided to survivors of railroad employees, either active or retired, but depending on length of service.

- State victims of crime statutes - Some States provide benefits to survivors of a crime victim.

- Federal, State, or local government employees' benefit programs.

- State or local welfare allowances.

A WORD OF CAUTION

Remember, whether negotiating funeral or cemetery arrangements, it is the consumers decision and right to choose only those services they desire. Prior to signing, it is important that the consumer read and understand any contract to determine exactly what services and costs they are agreeing to pay. It would be wise for the consumer to consult an attorney before signing any agreement.

The consumer should be wary of any high-pressure promotions for prearrangement, and should have all oral promises put in writing. Also, the consumer should be aware that any contract signed in the home over twenty-five dollars, and away from the merchant's place of business, may be cancelled in writing within three business days.

If there is a problem concerning funeral matters, consumers should attempt to solve it first with the funeral provider. If dissatisfied, they should not hesitate to contact federal, state, or local consumer protection agencies. The following is a listing of consumer, licensing, and professional groups that may be contacted for any assistance or information.

American Association of Retired Persons
1909 K Street, N.W.
Washington, D.C. 20049
(202) 872-4700

AARP's Consumer Affair's section aids older consumers in funeral related purchases by making available a funeral planning

checklist, a book (see bibliography) and a slide-tape show for community groups. All of these materials deal with the funeral transaction from the consumer's point of view.

Continental Association of Funeral and Memorial Societies
2001 S. Street, N.W., Suite 530
Washington, D.C. 20009
(202) 745-0634

CAFMS is a consumer organization that disseminates information about alternatives for funeral or non-funeral dispositions.

Conference of Funeral Service Examining Boards
520 E. Van Trees Street
P.O. Box 497
Washington, Indiana 47501
(812) 254-7887

This association, which represents the licensing boards of 47 states, will provide information on the laws of the various states and will respond to consumer inquiries or complaints about funeral providers.

ThanaCAP
1121 W. Oklahoma Avenue
Milwaukee, Wisconsin 53227
(414) 541-7925

ThanaCAP ("thana" = "death" in Greek and "CAP" = "Consumer Action Panel") is an independent organization sponsored by the National Funeral Directors Association (listed below) that channels and arbitrates consumer complaints involving funeral directors. It will handle complaints whether or not the funeral director is a member of NFDA.

Cremation Association of North America
111 East Wacker Drive
Chicago, Illinois 60601
(312) 644-6610

CANA is an association of crematories, cemeteries, and funeral homes that offer cremation. More than 600 members belong who own and operate crematories.

International Order of the Golden Rule
Iles Park Place
Suite 315
Springfield, Illinois 62718
(217) 544-7428

OGR is an international association of independent funeral homes in which membership is by invitation only. More than 1200 funeral homes are members of OGR.

Jewish Funeral Directors of America, Inc.
122 East 42nd Street
New York, N.Y. 10168
(212) 370-0024

JFDA is a national trade association of funeral directors servicing the Jewish community. It has approximately 200 members.

National Funeral Directors Association
1121 W. Oklahoma Avenue
Milwaukee, Wisconsin 53227
(414) 541-2500

NFDA is a educational and professional association of funeral directors. Established in 1882, it has 14,000 members throughout the United States.

National Funeral Directors and Morticians Association
5723 South Indiana Avenue
Chicago, Illinois 60620
(312) 752-7419

NFDMA is a national association primarily of black funeral providers. It has 2,000 members.

National Selected Morticians
1616 Central Street
Evanston, Illinois 60201
(312) 475-3414

NSM is a national association of funeral firms in which membership is by invitation only. Consumers may request a variety of publications through NSM's affiliate, the Consumer Information Bureau, Inc.

Pre-Arrangement Interment Association of America
1133 15th Street, N.W.
Washington, D.C. 20005
(202) 429-9440

PIAA is a national association with more than 600 members in the cemetery and funeral home business. The primary purpose of the organization is to provide prearrangement purchases of funeral and cemetery goods and services.

Federal Trade Commission, Bureau of Consumer Protection,
Division of Enforcement
Washington, D.C. 20580
(202) 376-2891

Even though the FTC can not resolve individual consumer or private disputes, information about individual experiences may show a pattern of conduct or practice that the Commission may investigate. In this manner, they can determine if any action is warranted. The complete text of the funeral rule may be obtained from the FTC by request.

RECORDING YOUR WISHES

It is important to list names, addresses and phone numbers of people to be contacted immediately in the event of death (e.g. clergy, lawyer, employer, immediate family, funeral director). Decisions should be put in writing and left where the document can be easily found by family, a friend or lawyer - not in a safe deposit box or in a will. It is also important to include the location of any safe deposit box (state number) and safe deposit key.

The following is a form which, when completed, can supply the family and others with information needed after an individual's death.

IMPORTANT INFORMATION IN THE EVENT OF MY DEATH

My name is _____
first middle/maiden last

When I die, please contact _____
name relationship

_____

address phone

My important papers are located at _____

INFORMATION FOR DEATH CERTIFICATE AND FILING FOR BENEFITS

My address _____

street

_____

city county state zip code

Citizen of _____ Race _____

Birthplace _____ Date of Birth _____

Social Security Number _____

Occupation/type of business _____

If veteran_____
rank branch of service serial number

_____
date and place entered service date discharged

I have __ never married __ married __ been widowed __ separated
__ divorced __ remarried

Spouse's full (maiden) name_____

Name of next of kin (other than spouse)_____

Relationship_____ Address_____

Father's full name and birthplace_____

Mother's maiden name and birthplace_____

PLEASE NOTE: AFTER DEATH I PREFER

To donate these organs_____

__ simple arrangements __ no embalming __ no public viewing
__ the least expensive burial or cremation container __ immediate disposition

That my body be:
__ donated: arrangements made on_____
date

with _____
medical school

_____ cremated and the ashes _____ scattered or _____ buried in_____
location

or disposed of as follows_____

__ buried_____
location

With the following services: ___ memorial (after disposition) ___ funeral (before

disposition) ____ graveside to be held at: ____ my church ____ mortuary other_____

Memorial gifts to_____; omit flowers_____

I have made prearrangements with_____
name of mortuary

Signature_____

Date_____

BIBLIOGRAPHY

Commonwealth of Massachusetts Consumers' Council. **The Funeral Transaction. A Consumers' Guide to Funeral Costs. 1978**

Consumers Union. **Funerals: Consumers' Last Rights.** Mount Vernon, New York: Consumers Union, 1977.

Continental Association of Funeral and Memorial Societies, Inc. **Comparative Funeral Costs Per 1983 Society Annual Reports.** Washington, D.C.: 1984.

Continental Association of Funeral and Memorial Societies, Inc. **What You Need To Know About Pre-Need Planning And Financing.** Washington, D.C.: 1983.

Federal Trade Commission Bureau of Consumer Protection. **Consumer Guide To The FTC Funeral Rule.** Washington, D.C.: Federal Trade Commission, 1984.

Ruth Mulvey Harmer. **The High Cost Of Dying.** New York: Collier Books, 1963.

Sidney Margolius. **Funeral Costs And Death Benefits.** New York: Public Affairs Pamphlets, 1967.

Vervil L. Mitchell. **The Rising Cost Of Dying.** Gainesville, Florida: Florida Cooperative Extension Service, University of Florida, Institute of Food and Agricultural Sciences.

Jessica Mitford. **The American Way Of Death.** New York: Fawcett World, 1963 (updated 1978).

Montgomery County Government Office of Consumer Affairs. **Planning Ahead. A Guide To Funerals.** Rockville, Maryland.

Ernest Morgan. **A Manual Of Death Education And Simple Burial.** Burnsville, North Carolina: Celo Press, 1980.

National Funeral Directors Association. **Preparing Today For The Eventual Tomorrow.** Milwaukee, Wisconsin.

Thomas C. Nelson. **It's Your Choice.** Glenview, Illinois: National Retired Teachers Association; American Association of Retired Persons: Scott, Foresman and Company, 1982.

Vanderlyn R. Pine, Ph.D. **A Statistical Abstract Of Funeral Services Facts And Figures Of The United States. 1982 Edition.** Milwaukee, Wisconsin: National Funeral Directors Association, 1982.

U.S. Department of Health and Human Services, Social Security Administration. **Your Social Security.** Washington, D.C.: U.S. Government Printing Office, April 1983.

Veterans Administration. **Federal Benefits For Veterans And Dependents.** Washington, D.C.: U.S. Government Printing Office, January 1984.

Select Committee on Aging, Subcommittee on Housing and Consumer Interests, United States House of Representatives. **Funeral Practices and the Elderly.** Washington, D.C.: Comm. Pub. No. 97-359.

○